REMARKS

Applicant is filing herewith a request for continued examination in response to the Final Office Action dated December 6, 2005, and the Advisory Action dated May 2, 2006. Applicant respectfully submits that claims 1 and 3-16 are patentable over the cited references and requests reconsideration of the application.

The Examiner rejected claims 1-4 as unpatentable under the provisions of 35 U.S.C. § 102(b) for being anticipated by U.S. Patent No. 5,025,865, issued to Trevor D. Caldwell et al. (hereinafter "the Caldwell patent" or "Caldwell"). Caldwell must disclose each and every claim limitation in order to anticipate Applicant's claims 1-4. However, Caldwell does not teach or disclose, for example, "a unitary control center located subsea and spaced apart from the manifold and each of the plurality of trees..." and "a tree control module located at the unitary control centre, the tree control module being in communication with the tree through the control centre and the tree conduits so that the tree control module controls operations of the trees." Accordingly, Caldwell does not anticipate Applicant's claims 1-16, and Applicant respectfully submits that claims 1 and 3-16 are allowable over the Caldwell patent. Therefore, Applicant respectfully requests reconsideration of the Examiner's rejection.

The Caldwell Patent

The Caldwell patent discloses a subsea assembly or system within a rectangular frame 1,31 for use with subsea wellheads or tree modules 2,32. *See* the Caldwell patent (Col. 3: ll. 53-61; Col. 4: ll. 36-38; and Figures 1 and 2). A manifold header module 5,37 is positioned within rectangular frame 1,32 adjacent tree modules 2,32. *See id.* (Col. 3: ll. 53-63; Col. 4: ll. 36-44; and Figures 1 and 2). Manifold 5,37 has a base portion extending toward tree modules 2,32, and a central portion extending substantially perpendicularly upward from the base portion. *See id.* (Figures 1 and 2).

Manifold header module 5,37 receives well fluid from tree modules 2,32, after the well fluid travels through a horizontal multi-bore connector 13,34 associated with each tree module 2,32, and a series of regulating modules (isolation valve module 6,36; flow control module 7,35; production control pod 8,39). *See id.* (Col. 4: ll. 9-14; Col. 4: ll. 39-48; and Figures 1 and 2). All of the regulating modules (isolation valve module 6,36; flow control module 7,35; production control pod 8,39) are mounted above the base portions of manifold 5,37 between the central portion of manifold 5,37 and respective tree modules 2,32. *See id.* (Figures 1 and 2).

A control distribution module 9,40 is connected to production control pod 8,39, to supply power (either hydraulic or electrical) to production control pod 8,39. *See id.* (Col. 3: ln. 66 – Col. 4: ln. 1; Col. 4: ll. 18-21; Col. 4: ll. 52-53; Figures 1 and 2). As is shown clearly in both Figures 1 and 2, control distribution module 9,40 sits on top of the central portion of manifold 5,37 extending substantially perpendicularly upward from the base portion of manifold 5,37. *See id.* (Figures 1 and 2). Control distribution modules 9,40 even has a lower portion that is received within an upper portion of the central portion of manifold 5,37. *See id.* (Figures 1 and 2).

The Caldwell patent does not disclose that manifold header module 5,37 is controlled specifically by anything.

Caldwell Does Not Anticipate Applicant's Claims

Applicant's claims 1, 9, and 15 include the claim elements, "a unitary control center located subsea and spaced apart from the manifold and each of the plurality of trees...." The Caldwell patent fails to disclose a subsea control module spaced apart from the manifold and each of the trees. The Examiner generally cited Figure 1 of the Caldwell patent as the unitary control centre in the December 5, 2005 Office Action when the unitary control centre was not its own claim element but rather part of the now-deleted "wherein" clause of claim 1. Claims 1, 9, and 15 now define that the unitary control centre is spaced apart from the mandrel and the plurality of trees. Caldwell fails to show anything that is a unitary control centre spaced apart from the manifold header 5,37 and the tree modules 2,32. Therefore, the Caldwell patent does not anticipate amended claim 1, newly added claims 9 and 15, or any of the claims respectively dependent therefrom. Accordingly, Applicant respectfully submits that claims 1 and 3-16 are patentable and requests the Examiner remove the rejection based upon the Caldwell patent.

Applicant's claims 1, 9, and 15 also include the claim element, "a tree control module located at the unitary control centre, the tree control module being in communication with the tree through the control centre and the tree conduits so that the tree control module controls operations of the trees." The Caldwell control distribution module 9,40 is positioned on the central portion of manifold header module 5,37, and is connected to tree modules 2,32 through the regulating modules (isolation valve module 6,36; flow control module 7,35; production control pod 8,39) positioned directly above the base portion of manifold header module 5,37. Caldwell fails to disclose locating control distribution module 9,40 on a unitary control centre that is spaced apart from the Caldwell manifold header module 5,37 and the Caldwell tree modules 2,32. Moreover, Caldwell fails to disclose control distribution module 9,40 being in communication with the trees through a spaced apart unitary control centre and a conduit extending from the control centre to the trees so that control distribution module 9,40 controls the operation of the trees. Because the Caldwell patent fails to disclose "a tree control module located at the unitary control centre, the tree control module being in communication with the tree through the control centre and the tree conduits so that the tree control module controls operations of the trees," Applicant respectfully submits that claims 1 and 3-16 are allowable, and respectfully requests reconsideration of the Examiner's rejection based upon the Caldwell patent.

Applicant's claims 6, 9, and 15 also include the claim element, "a manifold control module located at the unitary control centre, the manifold control module being in communication with the manifold through the unitary control centre and the manifold conduit so that the manifold control module controls operations of the manifold." As discussed previously, Caldwell fails to disclose and is completely silent as to having anything that controls the manifold header module 5,37. As discussed in Applicant's response to the December 6, 2005 Final Office Action, the Examiner already alleged that Caldwell's control distribution modules 9,40 were the structures in Caldwell that were "a tree control module." However, the Examiner is also apparently trying to allege that Caldwell's control distribution modules 9,40 also control the Caldwell manifold header module 5,37. Rather, the Caldwell patent is completely silent and does not show any structure controlling the Caldwell manifold header module 5,37. Because the Caldwell patent fails to disclose "a manifold control module located at the unitary control centre, the manifold control module being in communication with the manifold through the unitary control centre and the manifold conduit so that the manifold control module controls operations of the manifold," Applicant respectfully submits that claims 6 and 9-16 are allowable, and respectfully requests reconsideration of the Examiner's rejection based upon the Caldwell patent.

Applicant's claims 3, 13, and 15 also include the claim element, "an umbilical termination assembly disposed at an end of an umbilical extending from the surface, the umbilical termination assembly connecting to the unitary control center for supplying control signals from a remote control location to the tree control module." Caldwell fails to disclose such an umbilical termination assembly connecting to a unitary control centre that is spaced apart from manifold header module 5,37 and tree modules 2,32. Because the Caldwell patent fails to disclose "an umbilical termination assembly disposed at an end of an umbilical extending from the surface, the umbilical termination assembly connecting to the unitary control center for supplying control signals from a remote control location to the tree control module," Applicant respectfully submits that claims 3 and 13-16 are allowable, and respectfully requests reconsideration of the Examiner's rejection based upon the Caldwell patent.

CONCLUSION

Applicant respectfully submits that claims 1, 3-16 are all in condition for allowance. Reconsideration of the application and allowance of all claims are respectfully requested, and Applicant respectfully requests the issuance of a Notice of Allowance.

Respectfully submitted,

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